

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CARY HENDRICK, *et al.*,

Plaintiffs,

v.

DONALD CALDWELL, *et al.*,

Defendants.

Civil Action No.: 7:16-cv-00095 (GEC)

STATEMENT OF DEATH

Mary Frances Charlton, attorney for plaintiffs Cary Hendrick, Bryan Manning, Ryan Williams, Richard Deckerhoff and Richard Eugene Walls, notes on the record in this action, pursuant to Rule 25(a)(2) of the *Federal Rules of Civil Procedure*, the death of Cary Wayne Hendrick, plaintiff in this action, during the pendency of this action. *See* Death Certificate, attached as Exhibit 1.

Respectfully Submitted,

BY: /s/ Mary Frances Charlton
Mary Frances Charlton (VBN: 85387)
Attorney for Plaintiffs
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EXHIBIT 1

Death Certificate of Cary Wayne Hendrick (Dated August 3, 2016)

881003322 RRI Donnelly ©2014 All rights reserved. - 0221

CERTIFICATE OF VITAL RECORD
VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

7038728 **COMMONWEALTH OF VIRGINIA**
DEPARTMENT OF HEALTH – DIVISION OF VITAL RECORDS

VERIFICATION OF DEATH RECORD

To Whom It May Concern:

The following information serves to verify the death of the individual below.

Name of the Deceased: Cary Wayne Hendrick


Date of Death: [REDACTED] 2016

Date of Birth: [REDACTED] 1970

Social Security Number: [REDACTED] 5717

Place of Death: Roanoke, Virginia

§ 32.1-271. Disclosure of information in records; when unlawful; when permitted; proceeding to compel disclosure; when certain records made public.
D. When 100 years have elapsed after the date of birth, or 25 years have elapsed after the date of death, marriage, divorce or annulment, the records of these events in the custody of the State Registrar shall, unless precluded from release by statute or court order, or at law-enforcement request, become public information and be made available in accordance with regulations that shall provide for the continued safekeeping of the records. All records, which are public information on July 1, 1983, shall continue to be public information.



This is to certify that this is a true and correct reproduction or abstract of the official record filed with the Virginia Department Of Health, Richmond, Virginia

DATE ISSUED **August 3, 2016**

Do not accept unless on security paper with the seal of Virginia Department of Health, Vital Statistics in the lower left hand corner.
Section 32.1-272, Code of Virginia, as amended.

Janet M. Rainey
Janet M. Rainey, State Registrar
VS 15B

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2016, I electronically filed the foregoing Statement of Death with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Margaret Hoehl O'Shea
Assistant Attorney General
Criminal Justice & Public Safety Division
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Nancy Hull Davidson
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And I hereby certify that I have mailed the document by United States Postal Service to the following non-filing user: N/A

By: /s/ Mary Frances Charlton
Mary Frances Charlton, VSB #85387
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